

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s)	Niebla Perez et al.	Examiner:	Ogunbiyi, Oluwatosin A.
Serial No.:	10/577,000	Art Unit:	1645
Confirmation No.:	5827	Docket:	976-31 PCT US
Filed:	January 4, 2007	Dated:	April 14, 2009
For:	METHOD OF ANTIGEN INCORPORATION INTO NEISSERIA BACTERIAL OUTER MEMBRANE VESICLES AND RESULTING VACCINE FORMULATIONS		

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

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Lisa Guzzardo
(Printed Name)

/lisa guzzardo/
(Signature)

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

In the Office Action mailed March 23, 2009, the examiner imposed a Restriction Requirement to one of the following inventions under the provisions of 35 U.S.C. §121:

Group I. Claims 1-4, drawn to a method for antigen incorporation into bacterial outer membrane vesicles characterized by the formation of a complex between these antigens and outer membrane proteins from gram-negative bacteria, while maintaining intact the vesicle structure and comprising:

-Dilution of the antigen to be incorporated in an aqueous solution containing detergents and sucrose

-Homogenization of such a solution with the bacterial outer membrane protein preparation

-Incubation of the homogenate for at least 4 hours, with stirring

- Ultracentrifugation of the homogenate to recover the outer membrane vesicles containing the incorporated antigen
- Suspending the pellet in an appropriate solution.

Group II. Claims 5-12 are drawn to a vaccine composition obtained according to Claim 1, for its administration by parenteral or mucosal routes, comprising a complex formed by a protein antigen and a preparation of outer membrane proteins of gram-negative bacteria, being such complex generated by co-folding while maintaining intact the vesicle structure in combination with pharmaceutically acceptable excipients or carriers.

In response to the Restriction Requirement, Applicants elect the subject matter defined by the claims of Group I, i.e., Claims 1-4, without traverse.

Applicants reserve the right to pursue the claims of the non-elected groups in a divisional application.

It is now believed that this application is in condition for further consideration and examination. If resolution of any remaining issues is required prior to examination of the application, it is respectfully requested that the Examiner contact Applicants' attorney at the telephone number provided below.

Respectfully submitted,

/anna c. chau/
Anna C. Chau
Registration No. 54,637
Attorney for Applicants

HOFMANN & BARON, LLP
6900 Jericho Turnpike
Syosset, New York 11791
(516) 822-3550
ACC:lg
308365_1.DOC